

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Stewart A. Fraser et al.

Application No. : 09/670,900 Confirmation No. : 7800

Filed : September 28, 2000

For : SYSTEMS AND METHODS FOR TRANSFERRING
ITEMS WITH RESTRICTED TRANSFERABILITY

Group Art Unit : 3625

Examiner : James H. Zurita

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AMENDMENT/SUBMISSION UNDER 37 C.F.R. § 41.33(a)

Sir:

This is an amendment under 37 C.F.R. § 41.33(a) in the above identified application. Entry of the amendment is respectfully requested. It is noted that the use of the word “we” hereinafter refers to Applicants.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of the paper.

Remarks begin on page 17 of this paper.

LISTING OF THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. **(Previously Presented)** A method for enabling a first consumer to transfer an item with restricted transferability, comprising:

receiving a request to transfer the item from the first consumer;
presenting to the first consumer a plurality of options, wherein the options include a transfer by auction selection and a transfer by posting an advertisement selection, wherein posting an advertisement comprises posting a price;

requesting authorization to transfer the item from a provider of the item;
presenting information about the item to a second consumer in response to a selection by the first consumer of one of the options;

receiving from the second consumer an offer to purchase the item; and
transferring the item from the first consumer to the second consumer in response to receiving the offer to purchase.

Claim 2 **(Cancelled)**.

3. **(Original)** The method defined in claim 1, further comprising:
contacting the provider to verify whether the first consumer possesses the item.

4. **(Original)** The method defined in claim 1, further comprising:
notifying the first consumer whether the provider authorized or denied the transfer.

Claim 5 **(Cancelled)**.

6. **(Original)** The method defined in claim 1, further comprising:
voiding the item with respect to the first consumer; and
reissuing the item to the second consumer.

7. **(Original)** The method defined in claim 1, wherein transferring the item from the first consumer to the second consumer comprises:

providing the first consumer with an opportunity to send the item to an intermediary; and

providing the second consumer with an opportunity to send a payment to the intermediary.

8. **(Previously Presented)** The method defined in claim 7, further comprising charging at least one of the first consumer, the second consumer, and the provider with a fee.

9. **(Original)** The method defined in claim 8 wherein the fee is a flat fee.

10. **(Original)** The method defined in claim 1, wherein transferring the item from the first consumer to the second consumer comprises:

providing the first consumer with an opportunity directly to send the item to the second consumer; and

providing the second consumer with an opportunity directly to send a payment to the first consumer.

11. **(Original)** The method defined in claim 1, further comprising providing the provider with an opportunity to place additional restrictions on the item.

12. **(Original)** The method defined in claim 11 wherein the additional restrictions is at least one of a minimum transfer price, maximum number of items, and a contract extension.

13. **(Previously Presented)** A method for enabling a first consumer to transfer an item to a second consumer, the method comprising:

receiving a request to sell the item from the first consumer;

presenting to the first consumer a plurality of options, wherein the options

include a transfer by auction selection and a transfer by posting an advertisement selection, wherein posting an advertisement comprises posting a price;

requesting authorization to transfer the item from a provider of the item;

receiving restrictions on the transfer of the item from the provider of the item;

implementing the restrictions with respect to the item;

presenting information about the item to the second consumer in response to a selection by the first consumer of one of the options;

receiving from the second consumer an offer to purchase the item; and

arranging for the transfer of the item from the first consumer to the second consumer in response to receiving the offer to purchase.

14. **(Previously Presented)** The method of claim 13 further comprising requesting authentication information from the first consumer prior to receiving a request to sell the item from the first consumer.

15. **(Previously Presented)** The method of claim 13 wherein receiving restrictions on the transfer of the item comprises setting a minimum price for the item.

16. **(Previously Presented)** The method of claim 13 wherein receiving restrictions on the transfer of the item comprises setting a maximum number of items that may be sold.

Claims 17-19 **(Cancelled)**.

20. **(Currently Amended)** The method of claim 13 further comprising receiving a bid to purchase the item from the second consumer in response to presenting information [[on]] about the item.

21. **(Previously Presented)** The method of claim 20 further comprising receiving acceptance of the bid by the first consumer.

22. **(Previously Presented)** The method of claim 13 further comprising requesting authentication information from the second consumer prior to arranging for the transfer of the item from the first consumer to the second consumer.

Claims 23-28 (**Cancelled**).

29. **(Previously Presented)** The method of claim 13 wherein arranging for the transfer of the item comprises:

instructing the first consumer to send the item to the second consumer; and
providing for the second consumer to make a payment for the item.

30. **(Previously Presented)** The method of claim 29 further comprising providing for the first consumer to receive at least part of the payment from the second consumer.

31. **(Previously Presented)** The method of claim 30 further comprising providing for the provider to receive a fee from the payment from the second consumer.

32. **(Previously Presented)** The method of claim 31 wherein the fee is a flat fee.

33. **(Previously Presented)** The method of claim 31 wherein the fee is a percentage of the payment.

34. **(Previously Presented)** A method for enabling a first consumer to transfer an item to a second consumer, the method comprising:

receiving a request to sell the item from the first consumer;
presenting to the first consumer a plurality of options, wherein the options include a transfer by auction selection and a transfer by posting an advertisement selection, wherein posting an advertisement comprises posting a price;

requesting authorization to transfer the item from a provider of the item in response to receiving the request;

receiving restrictions on the transfer of the item from the provider of the item; implementing the restrictions with respect to the item;

presenting information about the item to the second consumer in response to a selection by the first consumer of one of the options upon receiving authorization from the provider;

receiving a bid to purchase the item from the second consumer;

receiving acceptance of the bid by the first consumer; and

arranging for the transfer of the item from the first consumer to the second consumer.

35. **(Previously Presented)** The method of claim 34 further comprising requesting authentication information from the first consumer prior to receiving a request to sell the item from the first consumer.

36. **(Previously Presented)** The method of claim 34 wherein receiving restrictions on the transfer of the item comprises setting a minimum price for the item.

37. **(Previously Presented)** The method of claim 34 wherein receiving restrictions on the transfer of the item comprises setting a maximum number of items that may be sold.

Claims 38-40 **(Cancelled)**.

41. **(Currently Amended)** The method of claim ~~[[22]]~~ 34 further comprising requesting authentication information from the second consumer prior to arranging for the transfer of the item from the first consumer to the second consumer.

Claims 42-47 **(Cancelled)**.

48. **(Previously Presented)** The method of claim 34 wherein arranging for the transfer of the item comprises:

instructing the first consumer to send the item to the second consumer; and
providing for the second consumer to make a payment for the item.

49. **(Previously Presented)** The method of claim 48 further comprising providing for the first consumer to receive at least part of the payment from the second consumer.

50. **(Previously Presented)** The method of claim 49 further comprising providing for the provider to receive a fee from the payment from the second consumer.

51. **(Previously Presented)** The method of claim 50 wherein the fee is a flat fee.

52. **(Previously Presented)** The method of claim 50 wherein the fee is a percentage of the payment.

53. **(Previously Presented)** A method for enabling a first consumer to transfer an item with restricted transferability to a second consumer, the method comprising:

receiving a request to sell the item from the first consumer;
presenting to the first consumer a plurality of options, wherein the options include a transfer by auction selection and a transfer by posting an advertisement selection, wherein posting an advertisement comprises posting a price;
contacting a provider of the item with respect to the transfer of the item;
receiving restrictions on the transfer of the item from the provider of the item;
implementing the restrictions with respect to the item;
presenting information about the item to the second consumer in response to a selection by the first consumer of one of the options;
receiving from the second consumer an offer to purchase the item;
and

arranging for the transfer of the item from the first consumer to the second consumer in response to receiving the offer to purchase.

54. **(Previously Presented)** The method of claim 53 further comprising requesting authentication information from the first consumer prior to receiving a request to sell the item from the first consumer.

55. **(Previously Presented)** The method of claim 53 wherein receiving restrictions on the transfer of the item comprises setting a minimum price for the item.

56. **(Previously Presented)** The method of claim 53 wherein receiving restrictions on the transfer of the item comprises setting a maximum number of items that may be sold.

Claims 57-59 **(Cancelled)**.

60. **(Currently Amended)** The method of claim 53 further comprising receiving a bid to purchase the item from the second consumer in response to presenting information [[on]] about the item.

61. **(Previously Presented)** The method of claim 60 further comprising receiving acceptance of the bid by the first consumer.

62. **(Previously Presented)** The method of claim 53 further comprising requesting authentication information from the second consumer prior to arranging for the transfer of the item from the first consumer to the second consumer.

Claims 63-68 **(Cancelled)**.

69. **(Previously Presented)** The method of claim 53 wherein arranging for the transfer of the item comprises:

instructing the first consumer to send the item to the second consumer; and
providing for the second consumer to make a payment for the item.

70. **(Previously Presented)** The method of claim 69 further comprising
providing for the first consumer to receive at least part of the payment from the second
consumer.

71. **(Previously Presented)** The method of claim 70 further comprising
providing for the provider to receive a fee from the payment from the second consumer.

72. **(Previously Presented)** The method of claim 71 wherein the fee is a flat
fee.

73. **(Previously Presented)** The method of claim 71 wherein the fee is a
percentage of the payment.

74. **(Previously Presented)** A method for enabling a first consumer to transfer
a sporting event ticket to a second consumer, the method comprising:

- receiving a request to sell the sporting event ticket from the first consumer;
- presenting to the first consumer a plurality of options, wherein the options
include a transfer by auction selection and a transfer by posting an advertisement selection,
wherein posting an advertisement comprises posting a price;
- contacting a provider of the sporting event ticket with respect to the transfer of
the sporting event ticket;
- receiving restrictions on the transfer of the sporting event ticket from the
provider of the sporting event ticket;
- implementing the restrictions with respect to the sporting event ticket;
- presenting information about the sporting event ticket to the second consumer
in response to a selection by the first consumer of one of the options;
- receiving from the second consumer an offer to purchase the sporting event
ticket; and

arranging for the transfer of the sporting event ticket from the first consumer to the second consumer in response to receiving the offer to purchase.

75. **(Previously Presented)** The method of claim 74 further comprising requesting authentication information from the first consumer prior to receiving a request to sell the sporting event ticket from the first consumer.

76. **(Previously Presented)** The method of claim 74 wherein receiving restrictions on the transfer of the sporting event ticket comprises setting a minimum price for the sporting event ticket.

77. **(Previously Presented)** The method of claim 74 wherein receiving restrictions on the transfer of the sporting event ticket comprises setting a maximum number of sporting event tickets that may be sold.

Claims 78-80 **(Cancelled)**.

81. **(Currently Amended)** The method of claim 74 further comprising receiving a bid to purchase the sporting event ticket from the second consumer in response to presenting information [[on]] about the sporting event ticket.

82. **(Previously Presented)** The method of claim 81 further comprising receiving acceptance of the bid by the first consumer.

83. **(Previously Presented)** The method of claim 74 further comprising requesting authentication information from the second consumer prior to arranging for the transfer of the sporting event ticket from the first consumer to the second consumer.

Claims 84-89 **(Cancelled)**.

90. **(Previously Presented)** The method of claim 74 wherein arranging for the transfer of the sporting event comprises:

instructing the first consumer to send the sporting event ticket to the second consumer; and

providing for the second consumer to make a payment for the sporting event ticket.

91. **(Previously Presented)** The method of claim 90 further comprising providing for the first consumer to receive at least part of the payment from the second consumer.

92. **(Previously Presented)** The method of claim 91 further comprising providing for the provider to receive a fee from the payment from the second consumer.

93. **(Previously Presented)** The method of claim 92 wherein the fee is a flat fee.

94. **(Previously Presented)** The method of claim 92 wherein the fee is a percentage of the payment.

95. **(Previously Presented)** A method for enabling a first consumer to transfer a concert ticket to a second consumer, the method comprising:

receiving a request to sell the concert ticket from the first consumer;

presenting to the first consumer a plurality of options, wherein the options include a transfer by auction selection and a transfer by posting an advertisement selection, wherein posting an advertisement comprises posting a price;

contacting a provider of the concert ticket with respect to the transfer of the concert ticket;

receiving restrictions on the transfer of the concert ticket from the provider of the concert ticket;

implementing the restrictions with respect to the concert ticket;

presenting information about the concert ticket the second consumer in response to a selection by the first consumer of one of the options;
receiving from the second consumer an offer to purchase the concert ticket;
and
arranging for the transfer of the concert ticket from the first consumer to the second consumer in response to receiving the offer to purchase.

96. **(Previously Presented)** The method of claim 95 further comprising requesting authentication information from the first consumer prior to receiving a request to sell the concert ticket from the first consumer.

97. **(Previously Presented)** The method of claim 95 wherein receiving restrictions on the transfer of the concert ticket comprises setting a minimum price for the concert ticket.

98. **(Previously Presented)** The method of claim 95 wherein receiving restrictions on the transfer of the concert ticket comprises setting a maximum number of concert tickets that may be sold.

Claims 99-101 **(Cancelled)**.

102. **(Currently Amended)** The method of claim 95 further comprising receiving a bid to purchase the concert ticket from the second consumer in response to presenting information [[on]] about the concert ticket.

103. **(Previously Presented)** The method of claim 102 further comprising receiving acceptance of the bid by the first consumer.

104. **(Previously Presented)** The method of claim 95 further comprising requesting authentication information from the second consumer prior to arranging for the transfer of the concert ticket from the first consumer to the second consumer.

Claims 105-110 (**Cancelled**).

111. (**Previously Presented**) The method of claim 95 wherein arranging for the transfer of the concert ticket comprises:

instructing the first consumer to send the concert ticket to the second consumer; and
providing for the second consumer to make a payment for the concert ticket.

112. (**Previously Presented**) The method of claim 111 further comprising providing for the first consumer to receive at least part of the payment from the second consumer.

113. (**Previously Presented**) The method of claim 112 further comprising providing for the provider to receive a fee from the payment from the second consumer.

114. (**Previously Presented**) The method of claim 113 wherein the fee is a flat fee.

115. (**Previously Presented**) The method of claim 113 wherein the fee is a percentage of the payment.

116. (**Currently Amended**) An electronic trading arrangement for enabling a first consumer to transfer an item to a second consumer, the arrangement comprising:
a provider system;
a transfer system;
a first consumer computer;
at least one second consumer computer; and
a communication network that interlinks the provider system, the transfer system, the first consumer computer, and the at least one second consumer computer, wherein the transfer system is configured:

- (a) to receive data from the first consumer computer relating to a request to transfer the item,
- (b) to present to the first consumer a plurality of options, wherein the options include a transfer by auction selection and a transfer by posting an advertisement selection, wherein posting an advertisement comprises posting a price,
- (c) to transmit data to the provider system requesting authorization to transfer the item based on receipt of the request data,
- (d) to receive data from the provider system relating to restrictions placed on the transfer of the item;
- (e) to implement the restrictions with respect to the item;
- (f) to present data relating to information about the item to the second consumer computer in response to a selection by the first consumer of one of the options,
- (g) to receive from the second consumer an offer to purchase the item, and
- (h) to arrange for the transfer of the item from the first consumer to the second consumer in response to receiving the offer to purchase.

117. **(Currently Amended)** The electronic trading arrangement of claim 116 wherein the transfer system comprises a database to store information received from the first consumer computer, the ~~plurality of~~ at least one second consumer computer, and the provider system.

118. **(Previously Presented)** The electronic trading arrangement of claim 116 wherein the transfer system is configured to receive restrictions that set a minimum price for the item.

119. **(Previously Presented)** The electronic trading arrangement of claim 116 wherein the transfer system is configured to receive restrictions that set a maximum number of items that may be sold.

Claims 120-122 (**Cancelled**).

123. (**Previously Presented**) The electronic trading arrangement of claim 116 wherein the transfer system is further configured to receive data from the second consumer indicating a bid to purchase the item.

124. (**Previously Presented**) The electronic trading arrangement of claim 123 wherein the transfer system is further configured to receive data from the first consumer indicating acceptance of the bid to purchase the item from the second consumer.

125. (**Previously Presented**) The electronic trading arrangement of claim 116 wherein the transfer system comprises an internet web page server.

126. (**Currently Amended**) The electronic trading arrangement of claim 116 wherein the transfer system, the first consumer computer, and the ~~plurality of~~ at least one second consumer computer[[s]] form part of a single server.

127. (**Currently Amended**) The electronic trading arrangement of claim 116 wherein the transfer system, the first consumer computer, and the ~~plurality of~~ at least one second consumer computer[[s]] are distributed across multiple servers.

128. (**Previously Presented**) The electronic trading arrangement of claim 116 wherein the communication network comprises one of an Internet, an intranet, a public data network, a private data network, a wireless network, a cable network, and a dial-up connection.

129. (**Previously Presented**) The electronic trading arrangement of claim 116 wherein the transfer system is configured to receive transfer criterion that sets at least one of a sale price and a sale duration.

130. **(Currently Amended)** The method defined in claim 1 wherein ~~the~~ a transfer criterion comprises at least one of a sale price and a sale duration.

131. **(Currently Amended)** The method defined in claim 13 wherein ~~the~~ a transfer criterion comprises at least one of a sale price and a sale duration.

132. **(Currently Amended)** The method defined in claim 53 wherein ~~the~~ a transfer criterion comprises at least one of a sale price and a sale duration.

133. **(Currently Amended)** The method defined in claim 74 wherein ~~the~~ a transfer criterion comprises at least one of a sale price and a sale duration.

134. **(Currently Amended)** The method defined in claim 95 wherein ~~the~~ a transfer criterion comprises at least one of a sale price and a sale duration.

Claim 135 **(Cancelled)**.

REMARKS

Claims **1, 3-4, 6-17, 20-37, 41-56, 60-77, 81-98, 102-119, and 123-135** are pending in this application. According to the June 19, 2006 Office Action, claims **1, 3-4, 6-17, 20-37, 41-56, 60-77, 81-98, 102-119, and 123-135** are rejected.

We filed a Notice of Appeal on September 19, 2006. An Appeal Brief has not been filed. Accordingly, the present amendment is being filed under 37 C.F.R. § 41.33(a).

We have amended independent claim **116** and dependent claims **20, 41, 60, 81, 102, 117, 126-127, and 130-134**, and have cancelled dependent claims **17, 23-28, 42-47, 63-68, 84-89, 105-110, and 135**. The amendments do not introduce any new matter.

Accordingly, independent claims **1, 13, 34, 53, 74, 95, and 116**, and dependent claims **3-4, 6-12, 14-16, 20-22, 29-33, 35-37, 41, 48-52, 54-56, 60-62, 69-73, 75-77, 81-83, 90-94, 96-98, 102-104, 111-115, 117-119, and 123-134** are under consideration.

Summary of Claim Amendments

In accordance with 37 C.F.R. § 41.33(a), the present amendment cancels claims and amends claims to present the claims in better form for consideration on appeal.

Specifically, we have cancelled dependent claims **17, 23-28, 42-47, 63-68, 84-89, 105-110, and 135**.

We have amended each of dependent claims **20, 60, 81, and 102** to recite “presenting information about the item,” rather than “presenting information on the item,” thereby making these claims consistent with independent claims **13, 53, 74, and 95**, respectively. Independent claims **13, 53, 74, and 95** were previously amended. However, dependent claims **20, 60, 81, and 102** were inadvertently not amended to be made consistent with the independent claims.

We have amended dependent claim **41** to depend from independent claim **34** rather than dependent claim **22**. We note that claim **41** recites the same limitations as claim **22**. We submit that it is apparent from the claims that claim **41** should depend from independent claim **34** rather than dependent claim **22**.

We have amended independent claim **116** to correct a minor typographical error and in particular, to include a semi-colon at the end of “a first consumer computer”.

We have amended each of dependent claims **117** and **126-127** to recite “the at least one second consumer computer,” rather than “the plurality of second consumer computers,”

thereby making these claims consistent with independent claim **116**. Independent claim **116** was previously amended. However, dependent claims **117** and **126-127** were inadvertently not amended to be made consistent with claim **116**.

We have amended dependent claims **130-134** to recite “a transfer criterion,” rather than “the transfer criterion,” which lacks antecedent basis. Independent claims **1**, **13**, **53**, **74**, and **95**, from which claims **130-134** depend, were previously amended. However, dependent claims **130-134** were inadvertently not amended to be made consistent with the changes to the independent claims.

Conclusion

We respectfully request that because the present amendment cancel claims, merely corrects informal matters, and places the claims in better form for consideration on appeal that this amendment be entered.

Respectfully submitted,

/Glen R. Farbanish/

February 16, 2007

Date

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